



LAHIVE  
&  
COCKFIELD  
L L P

COUNSELLORS AT LAW  
28 STATE STREET  
BOSTON, MASSACHUSETTS 02109-1784  
TELEPHONE (617) 227-7400  
FAX (617) 742-4214  
lc@lahive.com

JOHN A. LAHIVE, JR. (1928-1997)  
THOMAS V. SMURZYNSKI  
RALPH A. LOREN  
GIULIO A. DeCOSTI, JR.  
ANN LAMPORT HAMMITTE  
ELIZABETH A. HANLEY  
AMY BAKER MANDRAGOURAS  
ANTHONY A. LAURENTANO  
KEVIN J. CANNING  
JANE E. REMILLARD  
DeANN FORAN SMITH  
PETER C. LAURO  
JEANNE M. DIGIORGIO  
DEBRA J. MILASINIC, Ph.D.  
DAVID J. RIKKERS  
DAVID R. BURNS  
JOHN S. CURRAN  
SEAN D. DETWEILER

CYNTHIA L. KANIK, Ph.D.  
MEGAN E. WILLIAMS, Ph.D.  
RICHANAND  
MICHAEL PHILLIPPS \*  
LISA M. DIROCCO  
HATHAWAY P. RUSSELL \*\*  
MARIA LACCOTRIPE ZACHARAKIS, Ph.D.  
VINCENT P. LOCCISANO  
MERIDETH C. ARNOLD

SENIOR COUNSEL  
JAMES E. COCKFIELD

OF COUNSEL  
JEREMIAH LYNCH  
WILLIAM A. SCOFIELD, JR.  
SIBLEY P. REPPERT

PATENT AGENTS  
THEODORE R. WEST  
SHAYNE Y. HUFF, Ph.D.  
DANIEL B. KO

TECHNICAL SPECIALISTS  
CYNTHIA M. SOROOS  
PETER W. DINI, Ph.D.  
EUIHOON LEE  
CATHERINE E. McPHERSON  
ERIC F. WAGNER, Ph.D.  
JACOB G. WEINTRAUB  
JONATHAN M. SPARKS, Ph.D.  
CRISTIN E. HOWLEY, Ph.D.

\* Admitted in NY only  
\*\* Admitted in TX only

Receipt  
1600

September 13, 2002

Commissioner for Patents  
Office of Initial Patent Examination  
Customer Service Center  
Washington, D.C. 20231

RECEIVED

OCT 07 2002

TECH CENTER 1600/2900

Re: In re the application of: Wilhelm Amberg, et al.  
Title: ANTINEOPLASTIC PEPTIDES  
Serial No. 09/757,142, Filed January 9, 2001  
Attorney Docket No.: BBI-6026CPCN

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Original executed Revocation of Prior Powers of Attorney and Appointment of New Power of Attorney (3 pages);
2. Request for Correction of Filing Receipt (2 pages, *in duplicate*);
3. Copy of first page of above-referenced patent application (1 page);
4. Copy of an executed Declaration for Patent Application (10 pages);
5. Copy of Filing Receipt with correction noted thereon in red ink (1 page); and
2. A return acknowledgment postcard.

Please charge any fees or credit any overpayments associated with this communication to our Deposit Account No. 12-0080. *A duplicate of this sheet is enclosed.*

**Certificate of First Class Mailing (37 CFR 1.8(a))**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Office of Initial Patent Examination, Customer Service Center, Washington, D.C. 20231, on the date set forth below.

September 13, 2002

Date of Signature and of Mail Deposit

*Peter C. Lauro*

Peter C. Lauro, Esq., Reg. No. 32,360

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

*Peter C. Lauro*

Peter C. Lauro, Esq.

Registration No. 32,360

Attorney for Applicants

28 State Street

Boston, MA 02109

Telephone: (617) 227-7400

Facsimile: (617) 742-4214



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Wilhelm Amberg, *et al.*

Serial No.: 09/757,142

Filed: January 9, 2001

For: *ANTINEOPLASTIC PEPTIDES*

Attorney Docket No.: BBI-6026CPCN

Group Art Unit: 1627

Examiner: Celsa, Bennett M.

H11

RECEIVED

OCT 07 2002

TECH CENTER 1600/2900

Commissioner for Patents  
Office of Initial Patent Examination  
Customer Service Center  
Washington, D.C. 20231

Certificate of First Class Mailing (37 C.F.R. §1.8(a))

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Office of Initial Patent Examination, Customer Service Center, Washington, D.C. 20231 on the date set forth below.

September 13, 2002

Date of Signature and of Mail Deposit

By:

Peter C. Lauro, Esq.  
Reg. No. 32,360

REQUEST FOR CORRECTION OF FILING RECEIPT

Dear Sir:

The Filing Receipt for the above-identified patent application omits certain Domestic Priority information. Applicants respectfully request that the Filing Receipt be corrected by inserting the following language to the **Domestic Priority data as claimed by applicant**:

--WHICH CLAIMS THE BENEFIT OF 08/573,422 12/15/95 ABN--

after the existing language:

"WHICH IS A CIP OF PCT/EP96/05518 12/11/1996"

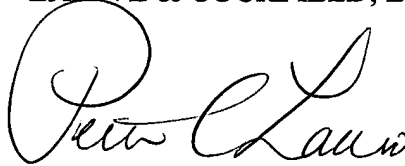
In support of the above-request correction, Applicants enclose the first page of the above-reference application as filed, where lines 3-9 set forth the correct priority data, as

well as a copy of an executed Declaration, Petition and Power of Attorney filed that was filed on even date with the application, and that sets forth the correct priority claim. Applicants also enclose a copy of the Filing Receipt with the change noted thereon in red ink. *Applicants note that application no. 08/573,422, filed 12/15/95, was converted to a provisional application.*

Please charge any fees necessary for consideration and entry of this communication to our Deposit Account No. 12-0080. *A duplicate of this communication is enclosed.*

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

A handwritten signature in black ink, appearing to read "Peter C. Lauro", written over a horizontal line.

Peter C. Lauro, Esq.  
Registration No. 32,360  
Attorney for Applicants

Dated: September 13, 2002



-1-

Date: 1-9-01 Express Mail Label No. EL552288263US

Inventors: Wilhelm Amberg, Teresa Barlozzari, Harald Bernard, Ernst Buschmann,  
Andreas Haupt, Hans-Guenther Hege, Bernd Janssen, Andreas Kling,  
Helmut Lietz, Kurt Ritter, Martina Ullrich, Jürgen Weymann and  
Thomas Zierke

Attorney's Docket No.: 2079.1009-001

**RECEIVED**

OCT 07 2002

ANTINEOPLASTIC PEPTIDES

**TECH CENTER 1600/2900**

#### RELATED APPLICATIONS

This application is a continuation of Application No. 09/097,184, filed June 12, 1998, which is a continuation-in-part of International Application No.

- 5 PCT/EP96/05518, filed December 11, 1996, which designated the United States, published in English, which claims priority to U.S. Patent Application No. 08/573,422, filed December 15, 1995, now abandoned. This application also claims benefit of U.S. Provisional Application entitled "Antineoplastic Peptides", which resulted from the conversion of U.S. Serial No. 08/573,422.

- 10 The entire teachings of the above application(s) are incorporated herein by reference.

#### FIELD OF THE INVENTION

The invention described herein provides novel peptides and derivatives thereof which offer potentially improved therapeutic utilities for the treatment of neoplastic

- 15 diseases as compared to dolastatin -10 and -15 (U.S. Patent Nos. 4,879,276 and 4,816,444) and the compounds described in WO 93/23424.



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/757,142	01/09/2001	1627	1110	BBI- 6026CPCN	0	9	8

Guilio A. DeConti, Jr., Esq.  
Lahive & Cockfield, L.L.P.  
28 State Street  
Boston, MA 02109



CONFIRMATION NO. 6617  
CORRECTED FILING RECEIPT



Date Mailed: 04/17/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Wilhelm Amberg, Friedrichsdorf, GERMANY;  
Teresa Barlozzari, Wellesley, MA;  
Harald Bernard, Bad Durkheim, GERMANY;  
Ernst Buschmann, Ludwigshafen, GERMANY;  
Andreas Haupt, Northborough, MA;  
Hans-Guenther Hege, Neustadt, GERMANY;  
Bernd Janssen, Marlborough, MA;  
Andreas Kling, Mannheim, GERMANY;  
Helmut Lietz, Neustadt, GERMANY;  
Kurt Ritter, Newton, MA;  
Martina Ullrich, Schriesheim, GERMANY;  
Jurgen Weymann, Bad Durkheim, GERMANY;  
Thomas Zierke, Bohl-Iggelheim, GERMANY;

RECEIVED

OCT 07 2002

TECH CENTER 1600/2900

## Assignment For Published Patent Application

BASF Aktiengesellschaft Germany;

## Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CON OF 09/097,184 06/12/1998 ABN  
WHICH IS A CIP OF PCT/EP96/05518 12/11/1996

-- WHICH CLAIMS THE BENEFIT OF 09/573,422 12/15/95 ABN --

## Foreign Applications

If Required, Foreign Filing License Granted 03/27/2001

